

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ANDREW U. D. STRAW,

Plaintiff,

v.

ORDER

U.S. DISTRICT COURT FOR THE WESTERN  
DISTRICT OF WISCONSIN,

17-cv-842-jdp

Defendant.

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Pro se plaintiff Andrew U. D. Straw filed a complaint alleging that this court's reciprocal suspension of his ability to practice law before it violated his rights under the Due Process Clause of the Fifth Amendment. Dkt. 1. I dismissed the complaint for failure to state a claim. Dkt. 7. Straw now moves for reconsideration of that decision. Dkt. 9.

Straw filed his motion within 28 days of the entry of judgment, so I will construe it as a motion under Federal Rule of Civil Procedure 59(e). "A Rule 59(e) motion will be successful only where the movant clearly establishes: '(1) that the court committed a manifest error of law or fact, or (2) that newly discovered evidence precluded entry of judgment.'" *Cincinnati Life Ins. Co. v. Beyrer*, 722 F.3d 939, 954 (7th Cir. 2013) (quoting *Blue v. Hartford Life & Accident Ins. Co.*, 698 F.3d 587, 598 (7th Cir. 2012)). Rule 59(e) is not "a vehicle for a party to undo its own procedural failures, and it certainly does not allow a party to introduce new evidence or advance arguments that could and should have been presented to the district court prior to the judgment." *Moro v. Shell Oil Co.*, 91 F.3d 872, 876 (7th Cir. 1996).

Straw asks that I reconsider my order in light of an affidavit he recently filed with the Indiana Supreme Court. That affidavit contains information that Straw could have provided

to this court prior to judgment, but even if I were to consider it, it does not alter my conclusion that Straw failed to take advantage of this court's procedure for challenging the imposition of reciprocal discipline and therefore failed to state a due process claim against the court. I will deny Straw's motion for reconsideration.

ORDER

IT IS ORDERED that plaintiff Andrew U. D. Straw's motion for reconsideration, Dkt. 9, is DENIED.

Entered December 14, 2017.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge